

ORDINANCE NO. O- -2016

**AN ORDINANCE OF THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, UTAH
AMENDING CHAPTER 17 OF THE EAGLE MOUNTAIN MUNICIPAL CODE
FOR SIGNAGE AND BUFFERING**

WHEREAS, the Eagle Mountain City Council (the “Council”) met in regular meeting on April 5, 2016, to consider, among other things, amending sections of the Eagle Mountain Municipal Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required public hearings have been held and all legal requirements have been met to amend the sections of the Municipal Code which are attached to this Ordinance as Exhibit A.
2. Chapter 17, Section 17.60.090 Water Wise Landscaping Standards, Table 17.60.160(a) Required Landscape Improvements for Multifamily, and Section 17.80 Sign Regulations and Sign Permits, are amended. They are hereby amended as set forth more specifically on Exhibit A.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 5th day of April, 2016.

EAGLE MOUNTAIN CITY, UTAH

Chris Pengra, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City on this 5th day of April, 2016.

Those voting aye:

- ☐ Adam Bradley
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves
- ☐ Tom Westmoreland

Those voting nay:

- ☐ Adam Bradley
- ☐ Colby Curtis
- ☐ Stephanie Gricius
- ☐ Benjamin Reaves
- ☐ Tom Westmoreland

Fionnuala B. Kofoed, MMC
City Recorder

EXHIBIT A



EAGLE MOUNTAIN CITY

Planning Commission Staff Report

APRIL 5TH, 2016

Project: Development Code Amendment: Chapter 17.60 (Landscaping, Buffering, Fencing and Transitioning)

Applicant: City Staff

Type of Action: Action Item (Recommendation to the City Council); Public Hearing

Background

Staff has been reviewing the Eagle Mountain Municipal Code (EMMC) and making changes to ensure it is consistent, easy to understand, and useful. The city is currently studying ways to be water wise due to our location in a desert, and applicants and potential applicants have expressed concerns with our Turf Landscaping requirements for Commercial developments. Wanting to conserve water, and to avoid undue burdens on applicant's staff has drafted changes to the EMMC. Proposed changes would remove the turf percentage requirements for Commercial, and Industrial developments, as well as creating water wise landscaping standards.

Proposed Amendments

Staff recommends that the code be amended to remove the required turf percentage column from table 17.60.160(a), and the addition of section 17.60.090, Water Wise Landscaping Standards. Proposed changes are shown below:

Chapter 17.60

LANDSCAPING, BUFFERING, FENCING AND TRANSITIONING

17.60.090 Required Landscaping

- A.** Portions of property that are not developed with structures, rights-of-way, driveways, and parking areas shall be required to be landscaped in all zones (except in the residential base density and Tier I categories and the agriculture zones). Commercial, industrial, and multifamily dwellings shall adhere to the minimum landscaping standards contained in Table 17.60.160(a), Required Landscape Improvements for Commercial, Industrial or Multifamily. The planning commission shall have authority to waive these standards as circumstances dictate.
- B. Water Wise Landscaping Standards** The following are the minimum standards for Water Wise landscaping for any parkstrip, median, or landscaped area located within a public right-of-way, or a commercial, industrial, or multifamily development:
 - a.** At least fifty percent (50%) of the required landscape area shall be live vegetation.
 - b.** Live vegetation shall be distributed throughout the landscape area, and shall not be segregated.
 - c.** Bark, lawn clippings, chipped wood, and similar loose materials are not permitted.
 - d.** Decorative rock material shall be a minimum of one inch (1") aggregate, and shall be at least three inches (3") deep and be placed completely on top of a weed fabric barrier that allows the permeation of water. Rock materials shall not exceed the height of the sidewalk/trail or the top back of curb, when placed alone a public right-of-way.

- e. White quartz rock, lava rock, and gravel or any other material that approximates the color of concrete, are not permitted.
- f. All Water Wise landscaped areas shall be improved with a drip irrigation system.
- g. Any individual, corporation, or other entity that uses water wise landscaping in an area within a public right-of-way shall be responsible for any damage caused by rocks or other materials that migrate onto a sidewalk, trail, street, storm drain, or other public facility, regardless of how such migration occurs.

Table 17.60.160(a) Required Landscape Improvements for ~~Commercial, Industrial or~~ Multifamily

Landscaped Area	Deciduous/Evergreen Trees	Percentage of Turf in Multifamily*
Less than 1,000	1	80
1,001 – 3,000	2	80
3,001 – 5,000	5	80
5,001 – 7,000	6	50
7,001 – 9,000	7	50
9,001 – 11,000	8	50
11,001 – 13,000	9	50
13,001 – 15,000 +13,001 +	10	50

*No Turf required in Commercial or Industrial Developments.



EAGLE MOUNTAIN CITY
City Council Staff Report

APRIL 5TH, 2016

Project: Development Code Amendment: Chapter 17.80 (Sign Regulations and Sign Permits)
Applicant: City Staff
Type of Action: Action Item (Recommendation to the City Council); Public Hearing

Background

Staff has been reviewing the Eagle Mountain Municipal Code (EMMC) and making changes to ensure it is consistent, easy to understand, and useful.

Proposed Amendments

Staff recommends that the code be amended to include images of different sign types, and to include visual representations of the language of chapter 17.80. No changes to the text have been proposed. Proposed changes may be seen here:

Chapter 17.80
SIGN REGULATIONS AND SIGN PERMITS

17.80.070 Permitted signs.

The following permanent signs shall be permitted in accordance with regulations and standards for this section. Any sign not expressly allowed by this chapter is prohibited. The planning director shall approve signs that are in compliance with requirements of EMMC [17.80.060](#), General provisions, and the regulations and standards contained herein.

A. Monument Signs in Agricultural and Residential Zones. Monument signs are allowed in all zones. Monument signs in the agricultural and residential zones may only be used in conjunction with a residential development, agricultural business, church, school or an institutional or recreational facility that has received approval from the city. These monument signs shall conform to the following standards:

1. Height. The maximum height shall be eight feet.
2. Sign Copy. The maximum sign copy shall be 64 square feet.



3. Setback. The setback shall be five feet from any property line.

4. Orientation. Monument signs shall be located perpendicular to the adjacent public street or public view if double-sided or, if single-sided, shall be parallel to the adjacent public street or public view.

5. Landscaping. All areas surrounding monument signs shall be landscaped with irrigated landscaping.

6. Compatibility. Monument signs shall be designed with colors and architecture that are compatible with the buildings that they identify. Supports shall have architectural coverings and design that complement the overall design scheme.

7. Illumination. Monument signs may be internally or externally lit and shall only illuminate the sign face or copy.

B. Combined Monument Signs in the Commercial, Industrial, [Business Park](#) and Airpark Zones.

Developments that have multiple pads and are located in a commercial, industrial, [business park](#) or airpark zone may be required to construct one combined monument sign structure per street frontage. The requirement to construct the monument sign structures may be a condition of approval for a site plan or conditional use. The developer shall ensure that the sign structure allows for as many building pads to be included as is reasonably possible. It is not a guaranteed right that all businesses will have sign space on the combined monument sign. The sign copy will be approved by the planning director or designee through the sign permit application process. All combined monument signs shall be designed and built in substantial conformance to the sign depicted in Figure 17.80.070(A) and must comply with the standards enumerated in subsections (A)(4) through (A)(7) of this section and the standards contained in this subsection. Minor variations to the sign design may be considered by the planning director. More significant variations require approval by the planning commission and city council; height and size requirements may not be exceeded.



Figure 17.80.070(A)

1. Height. The maximum height of a combined monument sign shall be 10 feet.
2. Sign Copy. The maximum sign copy of a combined monument sign shall be 100 square feet.
3. Materials. Each sign shall contain stone, rock, or brick at the base (at least two feet high) and vertically along at least one side (at least two feet wide). The sign copy may not exceed the height of the rock column, and may not extend beyond the rock base.
4. Design. Additional design elements may be considered by the planning director in order to give uniqueness to a development.
5. Setback. There is no required setback for combined monument signs. These signs must follow the clear vision triangle standards, and may not cause a traffic/visibility concern. The specific sign location must be approved by the planning director or designee.

C. Individual Monument Signs in the Commercial, Industrial, [Business Park](#) and Airpark Zones.

Developments that have multiple pads and are located in a commercial, industrial, [business park](#) or airpark zone shall be allowed to construct one individual monument sign for each freestanding building. In an effort to maintain aesthetic consistency, all individual monument signs within a project/development shall be substantially similar in design and materials. All monument signs must comply with the standards enumerated in subsections (A)(4) through (A)(7) and (C)(1) through (C)(6) of this section. Minor variations to the sign designs within a development may be considered by the planning director. More significant variations require approval by the planning commission and city council. If multiple businesses share a common structure, then a combined monument sign containing signage for each business is required. No individual monument sign is allowed for businesses that share a structure.

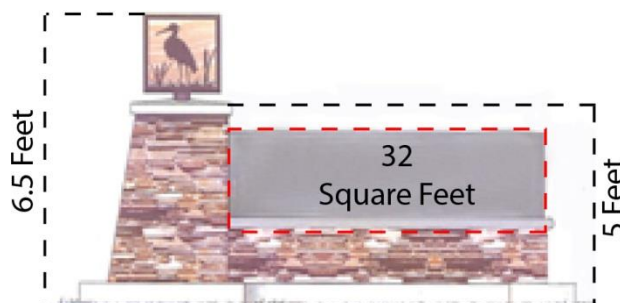


Figure 17.80.070(B)

Preferred example of an individual monument sign

1. Height. The maximum height shall be five feet. Additional design elements, such as those depicted in Figure 17.80.070(B), may be no higher than six and one-half feet.
2. Sign Copy. The maximum sign copy of any monument sign shall be 32 square feet.
3. Materials. Each sign shall, at a minimum, contain stone, rock, or brick at the base (at least two feet high). The recommended monument sign design is depicted in Figure 17.80.070(B). The materials and design shall be consistent for each sign in the development/project.
4. Design. Each development should contain an element of uniqueness, but the signage throughout a development must be consistent.
5. Setback. There is no required setback for individual monument signs. These signs must follow the clear vision triangle standards, and may not cause a traffic/visibility concern. The specific sign location must be approved by the planning director or designee.
6. Proximity to Other Such Signs. Signs must be separated by at least 100 feet as measured diagonally across the property from center to center of both signs and shall be no closer than 100 feet to any other monument sign located on the same frontage.

D. Wall, Canopy, or Awning Signs. Wall, canopy, or awning signs are allowed in commercial, airport, [business park](#) and industrial zones, as well as in approved mixed-use projects for commercial, industrial and airport uses. Wall signs shall not take up more than 10 percent of any wall area on which the sign is located. Canopy or awning signs shall not be included in the calculation of the wall sign area, although the sign copy for canopy signs shall not exceed 50 percent of the canopy area.





1. Illumination. Wall signs may be internally or externally lit and shall only illuminate the sign face or copy. Canopy and awning signs may be externally lit and shall only illuminate the sign face or copy.

E. Changeable Copy Signs. Changeable copy signs on a marquee, reader board, or other replaceable copy area are allowed in commercial, airport, [business park](#) and industrial zones, as well as in approved mixed-use projects for commercial, industrial and airport uses. The changeable wording area shall not exceed 50 percent of the total sign face. Animated signs, with the exception of city-controlled public announcement signs, are not permitted in the city. All lettering, background, and other aspects of changeable copy signs shall be maintained and repaired consistently to ensure that no discoloring or bleaching occurs. Gas station advertising signage is exempt from the 50 percent size restriction and is reviewed as a standalone commercial monument sign. [Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.7); Ord. O-18-2008 § 2 (Exh. A § 16.7); Ord. O-17-2006 § 2 (Exh. 1 § 16.7); Ord. O-23-2005 § 3 (Exh. 1(1) § 16.7)].



17.80.080 Off-premises ladder signs.

Directional off-premises double-faced ladder signs located in the shoulder of the city's right-of-way (ROW) along city streets are only permitted through an exclusive concessions agreement with the city. No other off-premises signs are permitted in the right-of-way, unless specifically allowed in this chapter. These ladder

signs are intended to direct traffic to a business with an active city business license, subdivision or development project, model home, neighborhood, city facility or park, or not-for-profit entity. Ladder signs and sign inserts/slats shall comply with the following requirements:

A. Allowed Signs. Ladder signs are intended to direct people to, and/or advertise for, a licensed business, model home, new subdivision, city facility or park, not-for-profit entity, neighborhood, or community event.

B. Sign Inserts. The sign slats or inserts should be consistent in background color and design and may contain advertising along with directional information. The logo at the top of each sign shall be the approved Eagle Mountain City logo. Slats do not require separate approval.

C. Sign Ownership. The city shall maintain ownership of all signs, and may contract out the maintenance and management of the signs. The city may place directional signs leading to city facilities in any appropriate right-of-way location.

D. Maintenance. Sign structures and slats shall be maintained in good repair and shall be repainted, repaired, or otherwise maintained in good visual condition.

E. Location. Ladder sign locations are designated in an exclusive concessions agreement. In all cases, the placement of signs shall not create a traffic hazard.

F. Maximum Number. Excluding any directional ladder signs to city facilities, the maximum number of ladder signs that will be permitted in the rights-of-way is 30. [Ord. O-02-2012 § 2 (Exh. A); Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.8); Ord. O-18-2008 § 2 (Exh. A § 16.8); Ord. O-17-2006 § 2 (Exh. 1 § 16.8); Ord. O-23-2005 § 3 (Exh. 1(1) § 16.8)].

17.80.090 Temporary (right-of-way) special event signage.

For temporary signage to be placed in city-owned right-of-way advertising special events occurring within the city, the following standards shall be followed:

A. Sign Copy. The maximum sign copy shall be 32 square feet.

B. Location. A map must be submitted for approval showing the intended locations of the signs. No off-premises signs are allowed on private property. Temporary right-of-way signs may not be located in the park strip (between the street and the sidewalk), but may be located between the sidewalk and a property line or fence. Signs may not be placed on utility poles, light poles, fences, or trees.

C. Duration. The maximum number of continuous days in which the signs can be displayed shall be 10 consecutive days. An extension may be possible with the original application.

D. Takedown. The applicant is solely responsible to remove the signs by the appropriate date.

E. Definition of Special Events. Special events include business grand openings, fundraiser events, private concerts, parade of homes, and other events as determined by the planning director. This does not include small, private events like yard sales, garage sales, moving sales or lost pet signs, nor does it include business sales.

F. Approval Process. Any public right-of-way signage must be approved by the planning department, and the city-approved sticker must be displayed on the sign (front or back). Any sign in the public right-of-way that does not display the approved sticker may be immediately removed. A maximum of two large signs (12 to 32 square feet) or four small signs (less than 12 square feet) may be approved per applicant. [Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.9); Ord. O-18-2008 § 2 (Exh. A § 16.9)].

17.80.100 Yard sale temporary signage.

Small private events such as yard sales, garage sales, and moving sales must comply with the following signage standards:

- A. Sign Copy. Signs may be no larger than four square feet in size.



B. Location. Signs must be located on private property, unless the sale is registered with the city prior to the date of sale for temporary right-of-way signage. On major streets (arterial and major collectors) signs may not be located in the park strip (between the street and the sidewalk/trail), but may be located between the sidewalk and a property line or fence. Signs may not be placed on utility poles, light poles, fences, or trees. On local roads, signs are allowed in the park strip.

C. Duration. Temporary signs in the right-of-way that serve as directional signs to the event may be posted on the day of the sale only, and must be removed by the end of the day. It is the owner's responsibility to remove all signage during the appropriate time period. No sale or signage will be permitted for more than two consecutive days.

D. Approval Process. The yard/garage sale must be registered with the city for any signage to be allowed in the public right-of-way. Any sign in the public right-of-way that is not registered with the city may be immediately removed. [Ord. O-06-2010 § 2 (Exh. A)].

17.80.110 Community entrance signs.

Community entrance signs located in the median or shoulder of the city's right-of-way (ROW) along streets classified as arterials or collectors shall only be allowed under specific agreement with the city. Community entrance signs shall be constructed, installed, and maintained at the expense of the original applicant in accordance with the specifications outlined in the submitted application and as determined by the city council. The exact location of each sign and the sign copy shall be subject to review and approval by the Eagle Mountain planning commission and city council.



A. Approval Process. Community entrance signage shall not be construed as an absolute right upon submission of an application and does not require the approval body to take action based upon findings of fact. At their discretion, the planning commission may recommend and the city council may approve community entrance signs along streets classified as arterials and collector roads. The placement of the signs shall not create a traffic hazard. Since these signs are within the city's right-of-way, the applicant must enter into an agreement to lease the city's property. The city council shall approve the agreement, which will detail the terms and conditions of the property lease as well as the design of the signage. The lease fee shall be equal to the fee established in the city's current consolidated fee schedule for off-premises ladder signs. [Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.9); Ord. O-18-2008 § 2 (Exh. A § 16.9); Ord. O-17-2006 § 2 (Exh. 1 § 16.9). Formerly 17.80.100].

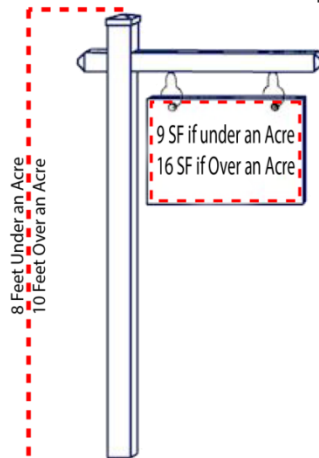
17.80.120 Exempt signs.

All signs exempt from the permit process shall comply with the general provisions of this chapter except traffic signs approved by the city engineer. No sign permits shall be required for the following signs:

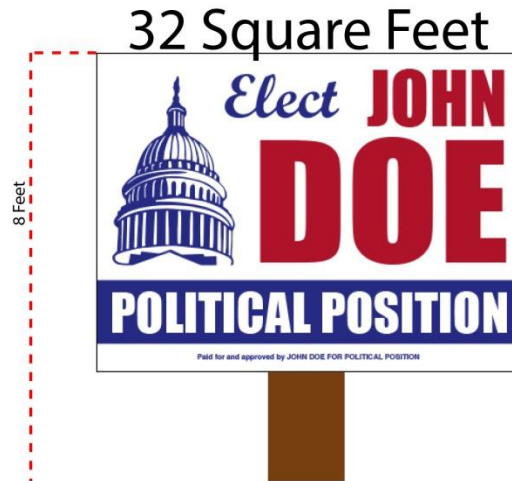
A. On-Premises Project Sign. One on-premises project sign may be erected for projects that have received either site plan approval or final subdivision approval. This sign may contain information about the approved business or project, and shall not exceed eight feet in height and 32 square feet of sign copy per side if double-faced. This sign shall be allowed until the development is complete or within one year of posting, whichever occurs first.



- B. On-Premises Real Estate Sign. One on-premises real estate sign for lots less than one acre in size. The real estate sign shall not exceed eight feet in height and nine square feet of sign copy per side if double-faced. For lots that are larger than one acre in size, the property will be allowed to display a sign that shall not exceed 10 feet in height and 16 square feet of sign copy per side if double-faced. Real estate signs shall be allowed until the transaction with the property is complete.



- C. Political Signs. Political signs placed on private property that do not exceed eight feet in height and 32 square feet per side if double-faced; provided, that such signs do not violate any other provisions of this chapter including provisions pertaining to the placement of signs in the public right-of-way.



D. Temporary Use Signs. Signs for temporary uses that have obtained a business license, if required, from the city may be installed as follows: one sign on a temporary basis located on premises that shall not exceed eight feet in height and 32 square feet of sign copy per side if double-faced. Temporary use signs will be allowed as long as the temporary use has a business license from the city.



E. Property Signs. Property signs no larger than nine square feet of sign copy per side if double-faced. These signs shall be permitted indefinitely as long as the sign is in compliance with the general provisions of this chapter.

F. Nameplate Signs. One nameplate sign identifying owners and addresses and no larger than two square feet of sign copy per side if double-faced.

G. Traffic Signs. Traffic signs as required by law which are approved by the city engineer and erected by or on behalf of a public agency. Traffic signs deemed necessary by the city engineer may not be required to comply with provisions of this chapter.



H. Civic Signs. Civic signs on private property which announce holidays or public interest events sponsored by nonprofit organizations; public service signs or signs related to community service projects not to exceed eight feet in height and 32 square feet of sign copy per side if double-faced.



I. Window Signs. Window signs including posters, messages, or displays painted or mounted on the interior side of a window may be used to advertise special promotions.



J. Public Notice. The display of official notices used by any court, public body or official, or the posting of notices by any public officer in the performance of a duty, or by any person giving legal notice at the direction of a governmental entity.



K. Special Event Signs. On-premises special event signage such as flags, banners or other signs for the purpose of advertising business openings or other special events; provided, that such signage does not exceed 32 square feet in size and is posted for a period not to exceed 60 days.



L. Model Homes. One on-premises sign for model homes; provided, that the on-premises sign does not exceed 32 square feet in size. A maximum of six flags not to exceed 15 square feet each posted on flag poles not to exceed 20 feet measured from the grade level to the top of the pole. The flags' colors shall be consistent with the on-premises sign. American flags shall not exceed 40 square feet in size. Two A-frame or temporary directional signs of no more than four square feet per builder per subdivision are allowed in the right-of-way adjacent to the model home and in the park strip of the nearest major street corner. These signs shall be directional only, not containing other advertising. These signs are only allowed during model home hours, and must be removed each evening at closing.

M. Real Estate Open House Signs. One A-frame or temporary directional sign of no more than four square feet for real estate open houses for individual home sales is allowed in the park strip of the nearest street corner, one day per week, to be put up no more than one hour prior to the open house and must be removed within one hour after the open house.

N. Temporary Informational Signs. Small informational signs such as lost pet signs, neighborhood or religious activity signs, youth sales signs (such as lemonade stands), and other signs for noncommercial purposes (i.e., not promoting a business of any kind, except youth sales) are allowed in the right-of-way. These signs may not be located in the park strip (between the street and the sidewalk) on major streets, but may be located between the sidewalk and a property line or fence. These signs may not be placed on utility poles, light poles, fences, or trees. The code enforcement officer has the authority to remove signs without notice if they have not been removed in a timely manner or if they present a safety hazard.

O. On-Premises Home Business Signs. Home businesses with a valid business license from Eagle Mountain City may place one nonilluminated wall sign no larger than four square feet in size on the front of the principal dwelling no higher than the first story. [Ord. O-02-2012 § 2 (Exh. A); Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.10); Ord. O-18-2008 § 2 (Exh. A § 16.10); Ord. O-17-2006 § 2 (Exh. 1 § 16.10); Ord. O-23-2005 § 3 (Exh. 1(1) § 16.9). Formerly 17.80.110].

17.80.130 Prohibited signs.

The following signs as defined in EMMC [17.80.160](#) shall be prohibited: snipe/bootleg signs, vehicular signs, pole signs, inflated signs, and billboards. In addition, any signs that emit sound, smoke or steam are prohibited. [Ord. O-02-2012 § 2 (Exh. A); Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.11); Ord. O-18-2008 § 2 (Exh. A § 16.11); Ord. O-17-2006 § 2 (Exh. 1 § 16.11); Ord. O-23-2005 § 3 (Exh. 1(1) § 16.10). Formerly 17.80.120].

17.80.140 Nonconforming signs.

A nonconforming sign may be maintained and repaired, even if such a repair may not bring the sign into compliance with this chapter. If a nonconforming sign is damaged or allowed to deteriorate in an amount in excess of 50 percent of its replacement cost, the sign shall not be repaired unless such a repair shall result in the sign coming into compliance with the provisions of this chapter. [Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.12); Ord. O-18-2008 § 2 (Exh. A § 16.12); Ord. O-17-2006 § 2 (Exh. 1 § 16.12); Ord. O-23-2005 § 3 (Exh. 1(1) § 16.11). Formerly 17.80.130].

17.80.150 Sign enforcement.

The planning director, or designee, shall perform the following duties and use the following procedures when enforcing sign regulations:

A. Compliance. Determine and ascertain that all signs, construction, reconstruction, or alterations of existing signs are completed in compliance with this chapter.

B. Site Inspections. Conduct site inspections to determine compliance with this chapter.

C. Instigate Proceedings. Instigate appropriate action or proceedings in any case where a sign is illegally erected, constructed, altered, repaired or maintained in violation of any city ordinance, including the provisions of this chapter.

D. Notices of Violation. Issue verbal or written notice of violation to owners or persons having control, charge or benefit of any sign that is found to be unsafe or in violation of city ordinances or this chapter, including all general provisions (EMMC 17.80.060).

E. Unsafe or Dangerous Signs. Abate and remove signs that are unsafe or dangerous.

F. Removal of Illegal Signs. Assist applicants to bring into compliance signs that are illegal under the provisions of this chapter or that are installed without a permit. The planning director or designee shall have the authority to abate and remove such signs if they are not brought into compliance within seven calendar days after written notice has been given to the owner or party in interest advertised on the sign. The person responsible for such sign shall be liable for the cost of removal and the city is authorized to effect the collection of said cost.

G. Removal of Temporary Signs. Abate and remove temporary signs posted upon private property if they are not made conforming within 72 hours after being noticed. Verbal or written notice is sufficient warning for these signs. The person responsible for such an illegal sign shall be liable for the cost of its removal and the city is authorized to effect the collection of said cost.

H. Removal of Signs on Public Property. Remove or require the immediate removal of any sign posted on public property. Such signs, though removed, shall not be destroyed for at least seven calendar days from the date of removal. In no case shall a failure to remove such signs constitute approval by the city of the illegal placement of the sign.

I. Removal of Abandoned Signs. Remove or require the removal of all signs that are ~~nonmaintained~~not maintained, abandoned, or that identify a discontinued or abandoned use within 45 calendar days after giving written notice to the person having control of or receiving benefit from the sign. The person responsible for such a sign shall be liable for the cost of its removal and the city is authorized to effect the collection of said cost.

J. Continual Sign Erection without Permits. Persons who continue to erect signs without the proper permits may have the unauthorized signs removed without notice. All signs removed by the city will be impounded. Owners of impounded signs shall pay a fee before the signs are released. [Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.13); Ord. O-18-2008 § 2 (Exh. A § 16.13); Ord. O-17-2006 § 2 (Exh. 1 § 16.13); Ord. O-23-2005 § 3 (Exh. 1(1) § 16.12). Formerly 17.80.140].

17.80.160 Definitions.

The following terms related to this chapter are hereby defined below:

“A-frame sign” means any sign or structure (usually freestanding, temporary and/or movable) composed of two sign faces mounted or attached back-to-back in such a manner as to form a triangular vertical cross-section through the sign faces.



“Abandoned sign” means a sign which is located on a property or place of business which has been vacated or which remains unused for a period of time exceeding 90 days.

“Advertising sign” means a sign which directs attention to a use, product, commodity or service.

“Alteration” in this chapter means changing or rearranging any structural part, sign face, enclosure, lighting, coloring, copy (except on reader signs that have changeable copy), graphics, components or location of any sign.

“Animated signs” means signs which incorporate moving or rotating parts or other special lighting effects with flashing or intermittent lights (excluding time and temperature signs or electronic message centers).



“Banner” means a building sign made of fabric, plastic, or a similar lightweight material and hung from a building, [fence](#), [wall](#) or pole.



“Billboard” means an advertising sign not necessarily related to the premises on which it is located and intended for use of changeable copy by posting or repainting.



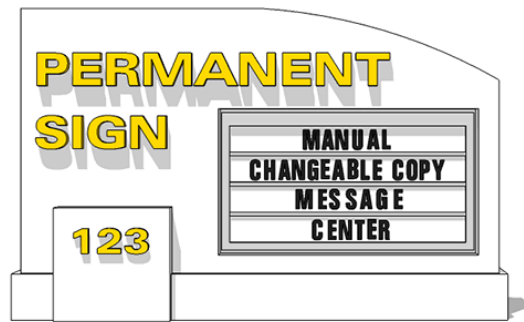
“Building sign” means any sign attached to or a part of a building. Several types of signs defined in this chapter may also be defined as building signs if they are attached to or are a part of a building.



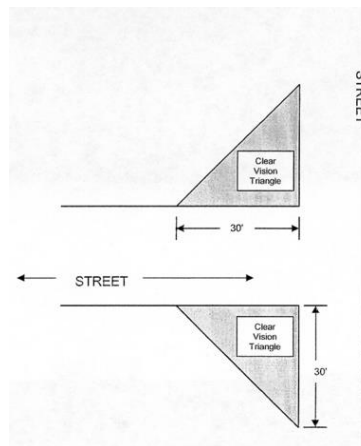
“Canopy sign” means a building sign that is part of a fabric, plastic, or similar shelter supported by a noncombustible rigid framework attached to a building, and sheltering the building’s entrance or windows. Synonymous with “awning” for the purposes of this chapter.



“Changeable copy sign” means a variable message sign composed of individual letters panel-mounted in or on a track system.



“Clear vision areas” means corner areas at intersecting streets and/or driveways in which unobstructed vision of motor vehicle operators is maintained (see Chapter [17.60](#) EMMC for the specific requirements and an illustration of required clear vision areas).



“Community entrance sign” means a sign used to welcome people to the city or a monument at the entrance to specific neighborhoods indicating the name of the project, subdivision or neighborhood. Any community entrance sign not required to be installed as part of a master development plan or final plat shall be processed through the planning department with the appropriate application and fee.



“Community event sign” means a temporary sign displayed by the city, or one of its committees, subcommittees, councils, boards or other public agency to promote community events.



Cornerstone. A cornerstone is carved or cast into a building, or a metal plaque permanently attached to a building. It carries no commercial message, but may include the building's name, the date of its completion, and the names of owners, architects, contractors, etc.



Directional Signs. Directional signs are defined in two general categories as follows:

1. Any sign used to display the address of a commercial or industrial building or use, or to identify points of access, the direction of travel, and similar functions in off-street parking and loading areas. Such signs display no advertising or promotional copy, but may bear a logo or be in a distinctive design associated with the use to which they are accessory. Such name or logo shall not exceed more than 50 percent of sign area.



2. A sign erected by an official government agency to denote the name of any thoroughfare; to point out the route to any city, educational institution, public building, historic place or hospital; to direct and regulate traffic; and to denote any railroad crossing, bridge or other transportation facility for the convenience and safety of the general public.



“Double-faced sign” means a sign with two faces, back-to-back.

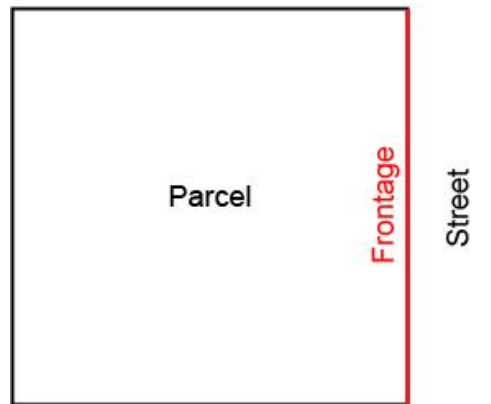
“Flag” means fabric, plastic, or similar lightweight material hung from a pole that may bear a logo, which is displayed with the intent to advertise or attract attention to a commercial enterprise.



“Freestanding sign” means any sign that has its own supporting structure, rather than being attached to and supported by a building.



“Frontage” means the distance or length of the side of any parcel that is adjacent to any public or private street, but does not include alleys, watercourses or limited access roadways.



“Illuminated sign” means any sign designed to emit artificial light or designed to reflect light from one or more sources of artificial light.

“Inflatable sign” means any advertising device which is supported by heated or forced air or lighter-than-air gases.



“Monument sign” means a freestanding sign whose sign face extends to the ground or to a base or pedestal.



“Movable, freestanding sign” means any sign not affixed to or erected into the ground.



“Nonconforming sign” means a sign or sign structure which lawfully existed prior to the adoption of the ordinance codified in this chapter but which does not conform to all or a part of the requirements of this chapter.

“Off-premises sign” means any sign which advertises a use, establishment, product or service that is sold, produced, manufactured or furnished at a place other than on the property on which said sign is located.

“On-premises sign” means a sign that advertises or directs attention to a use or establishment located on premises or a product or service available on premises.

“Pole sign” means a freestanding identification or business sign, which is supported by a pole(s), mounted permanently in the ground and the base of the sign copy is greater than nine feet in height.



“Political sign” means a temporary sign advertising a candidate for public office, a political party or a measure or issue scheduled for an election.



“Property sign” means on-premises signs that state the rights that the owner of that property wishes to enforce such as no dumping, no trespassing or no parking.



“Real estate sign” means a temporary sign indicating that the lot on which the sign is located, or any building or structure located thereon, is for sale, rent, or lease.



“Replacement,” for the purposes of this chapter, does not include the temporary removal of an existing sign for repair or refurbishment.

“Residential sign” means a freestanding or building sign that displays the address and the name of the occupants of a residence.



“Sign” means any and all advertising message, announcement, declaration, warning, statement, demonstration, illustration, insignia, words, space, figures or objects erected or maintained in view of any observer for the purpose of designating, identifying, promoting, advertising, directing or warning for the benefit of any person, product, company, entity or service; whether placed on the ground, rocks, trees, stumps, or other natural objects, or on a building, wall, roof, frame, support, fence, or other manmade structure. “Sign” also includes the accessory sign structures, supports, lighting systems and other attachments or components. The word “sign” does not include the flag, pennant or insignia of any nation, state, city or other political unit or any official notice issued by any court, public body or officer, or directional, warning or information sign or structure required or authorized by law.

“Sign area” means the entire area within a single continuous perimeter composed of squares, rectangles or other geometric figures which enclose the extreme limits of all sign elements affixed to the wall, including but not limited to cabinet structures, written copy, logos, symbols, decorative embellishments, border or roof treatments and illustrations.

“Sign copy” means the area on a sign in which letters, logos, and symbols are or can be printed upon.

“Sign face” means the part of a sign that is or may be used for advertising purposes.

“Snipe/bootleg sign” means a small sign of any material including but not limited to paper, cardboard, wood or metal when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.



“Special events sign” means a sign which calls attention to a business promotion or grand opening.



“Suspended signs” are attached to the ceiling of an arcade or the framework of a canopy and hang over a sidewalk.



“Temporary sign” means any permitted type of sign, but displayed for 60 days or less, except in the case of construction and real estate signs, which are temporary, but may be displayed until construction is complete or the property advertised has been rented or sold or otherwise allowed by this chapter.

“Traffic control sign” means standard regulatory signs installed by public agencies, including stop and yield signs, speed limit signs, etc., and permitted wherever warranted. When installed on private premises, such signs are directional.



“Vehicular sign” means a sign affixed to a vehicle or trailer for the purpose of advertising. Such sign shall only be applicable or regulated by this chapter when said vehicle or trailer is parked on a parcel other than the owner’s property for the primary purpose of conveying a business message.



“Wall face,” for the purpose of this chapter, means the visible outer surface area of a main exterior wall of a building. The area of the wall face shall be the total area of such surface including the area of doors and windows that are included in the main exterior wall.



“Wall sign” means a building sign painted directly on the wall of a building or attached to the wall of a building, and parallel with the wall to which it is attached. Wall signs extend no more than one foot from the building to which they are attached and do not extend above the roofline of the building to which they are attached.

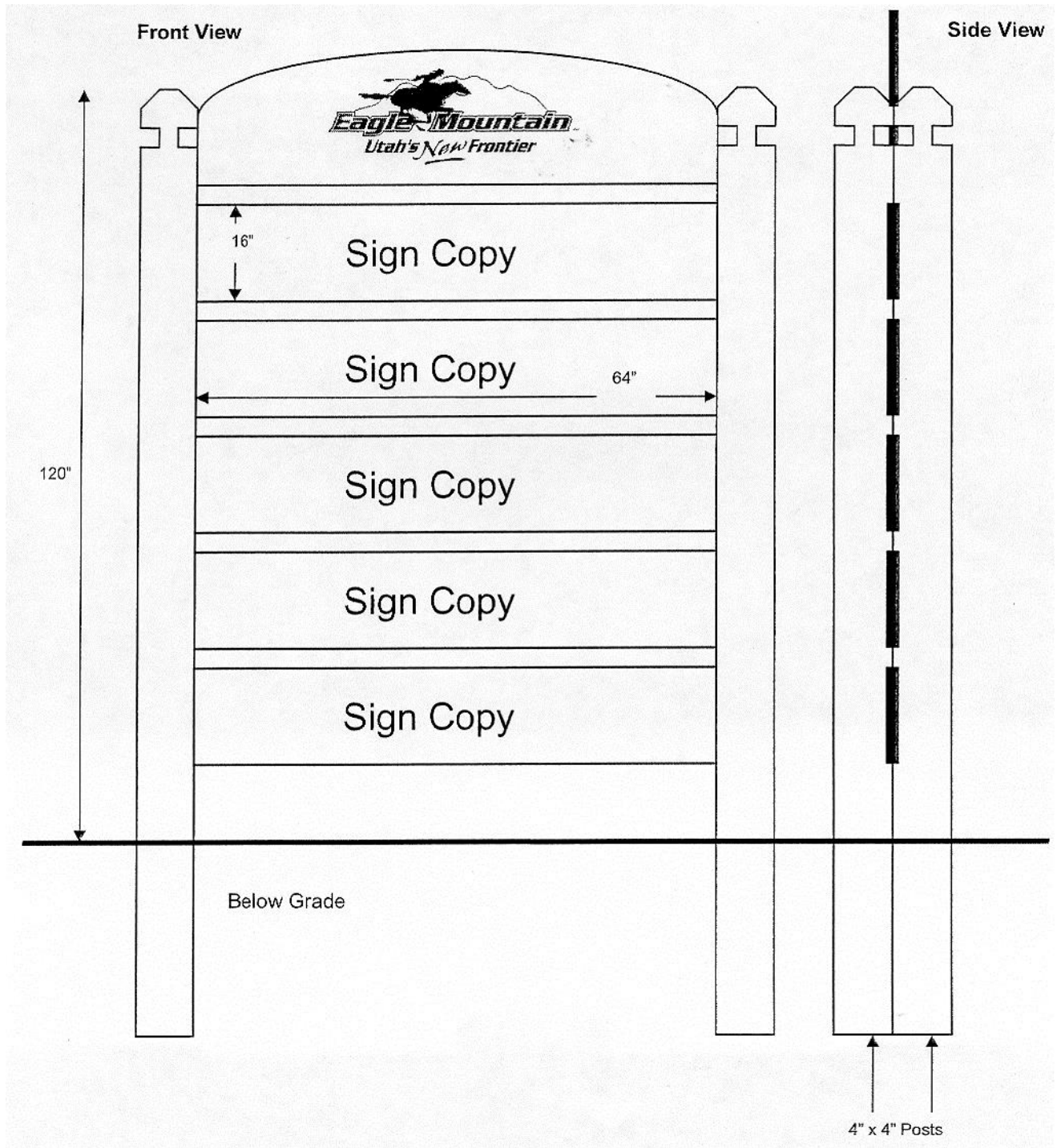


“Window sign” means signs, including posters, messages, or displays painted or mounted on the interior side of a window for special promotional or other temporary displays.



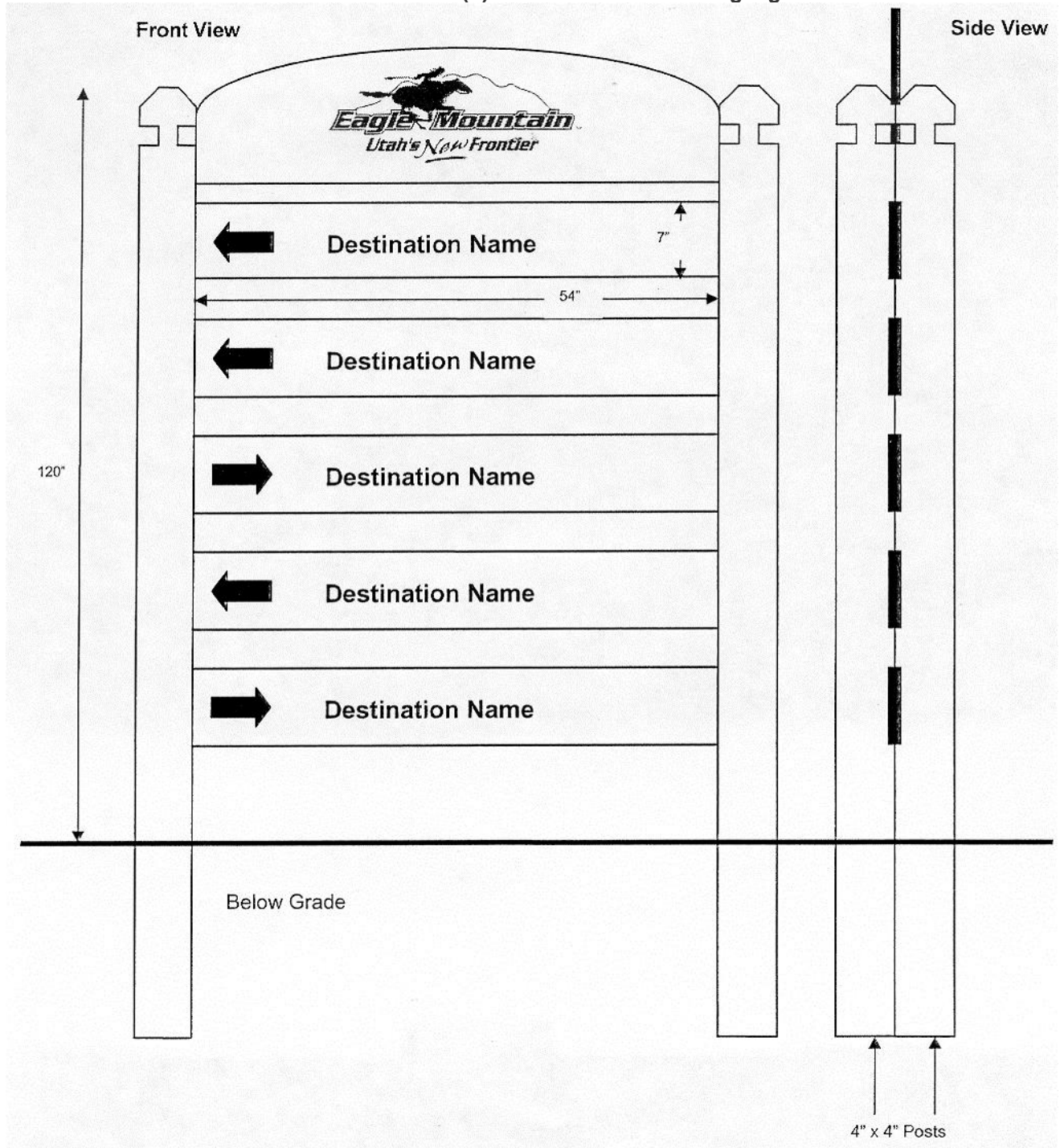
[Ord. O-06-2010 § 2 (Exh. A); Ord. O-12-2009 § 2 (Exh. A); Ord. O-26-2008 § 2 (Exh. A § 16.14); Ord. O-18-2008 § 2 (Exh. A § 16.14); Ord. O-17-2006 § 2 (Exh. 1 § 16.14); Ord. O-23-2005 § 3 (Exh. 1(1) § 16.13). Formerly 17.80.150].

17.80.170 Schematics.



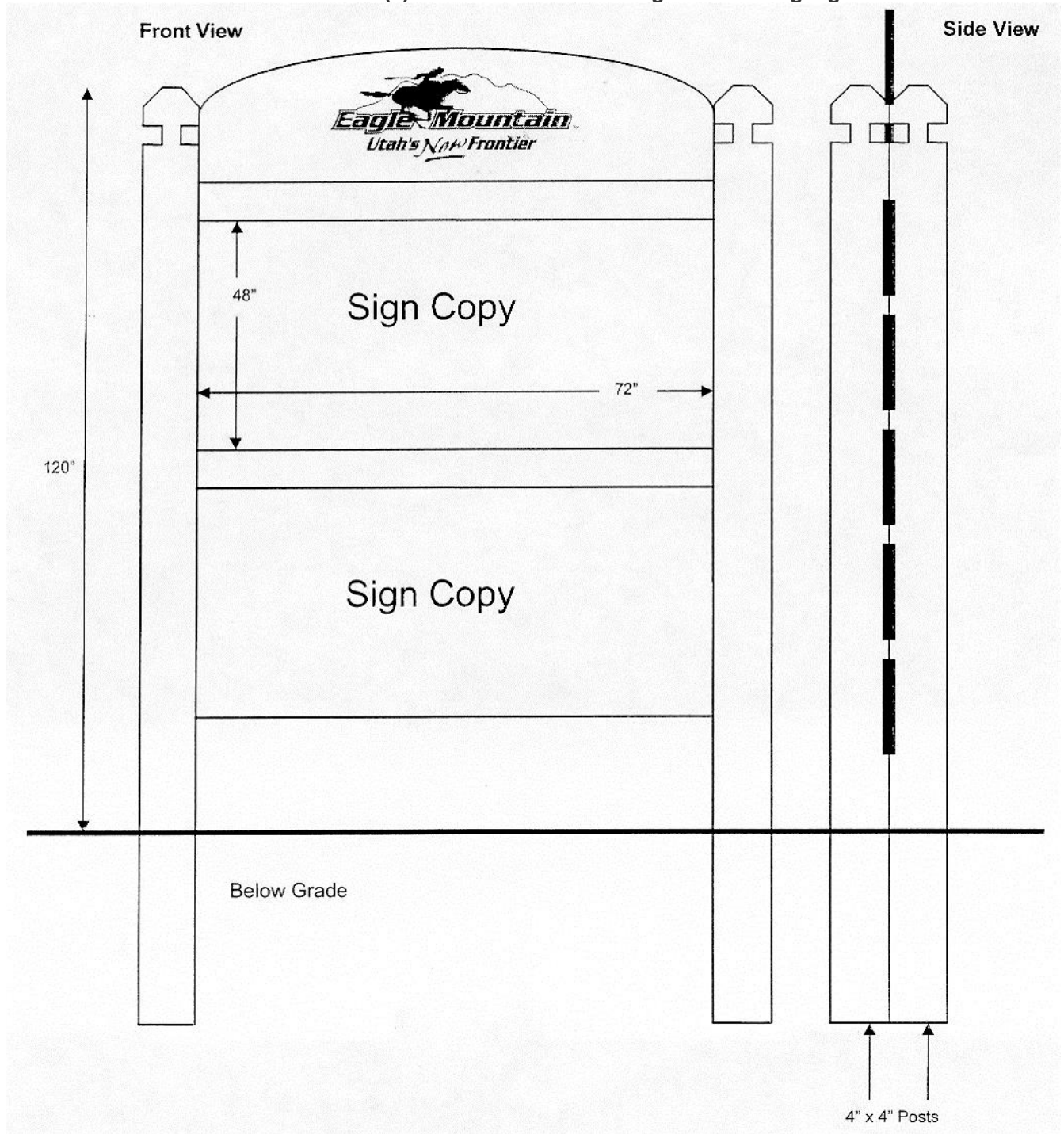
Signs shall be painted Monterrey Grey.

Schematic 17.80.170(b) – Directional Median Signage



Signs shall be painted Monterrey Grey.

Schematic 17.80.170(c) – Directional/Advertising Business Signage



Signs shall be painted Monterrey Grey.